

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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PEDINOL PHARMACAL, INC.,

Plaintiff,

-against-

RISING PHARMACEUTICALS, INC.,

Defendant.  
-----X

MEMORANDUM AND ORDER

CV 06-2120

(Wexler, J.)

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WEXLER, District Judge

This is a case alleging false advertising and unfair competition commenced by Plaintiff Pedinol Pharmacal, Inc. (“Pedinol” or “Plaintiff”) against Defendant Rising Pharmaceuticals, Inc. (“Rising” or “Defendant”). Presently before the court is the objection to the decision of Magistrate Judge Tomlinson dated October 5, 2007, allowing amendment of the complaint to name Ronald Gold as an individual Defendant herein.

Pursuant to Rule 72 of the Federal Rules of Civil Procedure this court shall modify or set aside any part of the order appealed from that is “clearly erroneous or contrary to law.” FRCP 72(a). This court has reviewed the objections and the order and concludes that it should be

affirmed. Accordingly, the objections are hereby overruled and the order of Magistrate Judge Tomlinson is affirmed.

SO ORDERED.

  
LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York  
November 13, 2007